



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes Planning and Zoning Commission

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Tuesday, July 26, 2016

6:00 PM

City Council Chambers

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630 E. Hopkins

### I. Call To Order

**With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Vice Chair Kelsey at 6:00 p.m. on Tuesday, July 26, 2016 in the City Council Chambers of the City of San Marcos, City Hall, 630 E. Hopkins, San Marcos, Texas.**

### II. Roll Call

**Present** 7 - Commissioner Travis Kelsey, Commissioner Shawn Dupont, Commissioner Saul Gonzales, Commissioner Kate McCarty, Commissioner Douglas Beckett, Commissioner Lee Porterfield, and Commissioner Angie Ramirez

**Absent** 2 - Commissioner Jim Garber, and Commissioner Betseygail Rand

### III. Chairperson's Opening Remarks

### IV. 30 Minute Citizen Comment Period

Lisa M. Coppoletta, 1322 Belvin asked the Commission to be mindful of archeology studies prior to development. She mentioned incentives given to developers to work with Texas State Students to have excavations of some of the developments. She reminded the Commission that we live over the recharge zone. Ms. Coppoletta pointed out that we need to protect the Aquifer Recharge Zone. She also reminded the Commission of the fumes, smells, and demolition dust that comes from new developments. She expressed concerns with building in flood areas. She suggested that 2D Modeling be presented prior to development. Ms. Coppoletta added that she is concerned about building close proximity to caves.

Diane Wassenich, San Marcos River Foundation stated that she attended the Monday meeting. She said HEB tried to meet all citizen concerns and did a great job on most things. She explained that previous PDDs promises were made but never made it into the PDD agreement. Ms. Wassenich pointed out that the PDD must be read to make sure all promises are included in the PDD agreement. She provided the Commission with documentation of some records floods in Central Texas-Info from USGS website which she updated with the 2015 flood information. She pointed out that San Marcos can have a flood twice as bad as in 2015. She pointed out that she explained to HEB that they need to raise their building because it will flood. Ms. Wassenich added that the Commission needs to think of people downstream and what it will do to them when the building is raised. She said starting with a 2D modeling and staying out of

the 100 year flood plain is great. Ms. Wassenich pointed out that we will have worse floods someday than we had in previous years.

Sara Lee Underwood Myers, 1415 Harper said she is so excited about the possibility of an additional HEB store especially a medium size store. Ms. Myers said she hopes the Commission considers the request.

Tom Wassenich, 11 Tangelwood, likes HEB proposal but is concerned with flooding. Mr. Wassenich said he spoke to Ben with HEB and suggested pavers in the parking lots as well as the medians. He explained that pavers reduce flooding.

Elizabeth (last name unknown) 2705 Leslie Lane expressed her concerns with the traffic congestion and the increase of traffic on Wonder World and Hunter Road. She explained that access to business at the intersection on Wonder World and Hunter Road is difficult with the amount of traffic in the area.

## CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting on June 28, 2016.
2. PC-15-54\_02 (La Cima Phase 1, Sections 1 & 2 Preliminary Plat) Consider a request for Bowman Consulting, on behalf of Lazy Oaks Ranch, L.P., for approval of a Preliminary Plat for approximately 116.6 acres, more or less, out of the J. Williams, J. Maximillon, L. Glasgow Surveys located west of Old Ranch Road 12. (A. Brake)
3. (PC-16-18\_03) Consider a request by BEC-LIN Engineering on behalf of Blue Dog Storage for approval of a Final Plat for approximately 3.84 acres, more or less, out of the A.M. Esnaurizar Survey Abstract No. 98, establishing Remington Acres generally located at 7061 Old Bastrop Road. (W. Parrish)

**A motion was made by Commissioner Dupont, seconded by Commissioner McCarty, that the Consent Agenda be approved. The motion carried by the following vote:**

**For:** 7 - Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Porterfield and Commissioner Ramirez

**Against:** 0

**Absent:** 2 - Commissioner Garber and Commissioner Rand

## PUBLIC HEARINGS

4. CUP-16-17 (Trailer Sales) Hold a public hearing and consider a request for a conditional use permit by Richard Wilmont on behalf of Pete Neumann to allow for the sale of light duty trailers at 5680 S IH 35. (W. Parrish)

Vice Chair Kelsey opened the public hearing.

Will Parrish, Planning Tech gave an overview of the request.

There were citizen comments and the public hearing was closed.

**A motion was made by Commissioner Ramirez, seconded by Commissioner Gonzales, that CUP-16-17 (Trailer Sales) be approved with conditions that the Conditional Use Permit approved the Land Use only, not the proposed site plan, and the "display area" designated on the site plan meet City standards for development of the parking lot. The motion carried by the following vote:**

**For:** 7 - Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Porterfield and Commissioner Ramirez

**Against:** 0

**Absent:** 2 - Commissioner Garber and Commissioner Rand

5. CUP-16-18 (The Spot) Hold a public hearing and consider a request by Springtown Entertainment, L.L.C., on behalf of The Spot, for a new Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 1180 Thorpe Lane, Suite 130. (A. Brake)

Vice Chair Kelsey opened the public hearing.

Alison Brake, Staff Planner gave an overview of the request.

There were no citizen comments and the public hearing was closed.

**A motion was made by Commissioner McCarty, seconded by Commissioner Gonzales, that CUP-16-18 (The Spot) be approved with conditions that the CUP shall be valid for one (1) year, provided standards are met, subject to the point system, the permit shall be effective upon the issuance of the Certificate of Occupancy and the CUP shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:**

**For:** 7 - Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Porterfield and Commissioner Ramirez

**Against:** 0

**Absent:** 2 - Commissioner Garber and Commissioner Rand

6. LDC-16-03 Hold a public hearing and consider revisions to Subpart B of the City's Code of Ordinances (Land Development Code) updating Chapter 1 to require a zoning change application to accompany any request for a Preferred Scenario Map Amendment and to increase the number of required public hearings for Preferred Scenario Amendments. (T. Carpenter)

Vice Chair Kelsey opened the public hearing.

Tory Carpenter, Staff Planner gave an overview of the request.

Lisa M. Coppoletta stated that more dialogue is very important for citizen input. She spoke in support of the request and added that she is in support in additional public hearings.

Paul Murray, 102 Barkley spoke in support of the request. He said it is a big step in fixing the process.

There were no additional citizen comments and the public hearing was closed.

**A motion was made by Commissioner Ramirez, seconded by Commissioner Porterfield, that LDC-16-03 be approved. The motion carried by the following vote:**

**For:** 7 - Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Porterfield and Commissioner Ramirez

**Against:** 0

**Absent:** 2 - Commissioner Garber and Commissioner Rand

7. ZC-16-09 (132 Jackson Lane) Hold a public hearing and consider a request by Allan Nutt on behalf of Omais Investments, LLC for a zoning change from Office Professional (OP) to Vertical Mixed Use (VMU) at 132 Jackson Lane. (W. Parrish)

Vice Chair Kelsey opened the public hearing.

Will Parrish, Planning Tech gave an overview of the request.

Allen Nutt, 6409 Five Acre Wood, Austin Texas, the applicant asked the Commission for their support and added that their vertical mixed used proposed development is consistent with the changes to the Code. He stated they were aware of soil issues as indicated at the meeting. He explained that they will do their due diligence regarding the soils. Mr. Nutt added he was available to answer questions.

Tom Wassenich, 11 Tangelwood, said he likes the proposed development. He requested Vertical Mixed Use on Thorpe Lane.

Sara Lee Underwood Myers, 1415 Harper, spoke in support of the proposed development.

Paul Murray, 102 Barkley, spoke in support of building in midtown which is consistent with the Comprehensive Plan. Mr. Murray stated he heard concerns about impervious cover and suggested pervious pavers.

There were no additional citizen comments and the public hearing was closed.

**A motion was made by Commissioner Dupont, seconded by Commissioner Ramirez, that ZC-16-09 (132 Jackson Lane) be approved. The motion carried by the following vote:**

**For:** 7 - Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Porterfield and Commissioner Ramirez

**Against:** 0

**Absent:** 2 - Commissioner Garber and Commissioner Rand

8. PDD-16-01 (Wonder World Drive and Hunter Road) Hold a public hearing and consider a request by Pape-Dawson Engineers, on behalf of HEB Grocery Company, L.P., for a Zoning Change from Future Development "FD" to Planned Development District "PDD" with a base zoning classification of General Commercial "GC" on 6.4 acres, more or less, out of the J.M. Veramendi Survey, Abstract No. 17, located at the northwest corner of Wonder World Drive and Hunter Road. (A. Brake)

Vice Chair Kelsey opened the public hearing.

Alison Brake, Staff Planner gave an overview of the request.

Ben Scott, HEB, gave a 10 minute presentation on the project.

Michelle Harper, United Way, was in support of the project. She stated that a new HEB would add approximately \$15,000 - \$20,000 in funds back to various partners United Way works with in the City.

Cathy Bertran, 1208 Belvin, stated she likes HEB but is concerned with traffic at the Wonder World Drive and Hunter Road intersection. She explained that it is already difficult to get through. She stated a store on McCarty Road was a more logical choice.

John Leonard, Leslie Drive, stated his concerns on traffic and storm runoff.

Miguel Arredondo gave his support to HEB. He expressed the need for a grocery store on the East side of I-35 and stated he was also concerned with traffic. He felt that the intersections issues were the City's and TxDOT's problem to solve.

Phil Hutchison, 202 Mimosa Circle, understood the concerns but was excited and in support of the proposed new HEB.

John Craddock, 507 Pioneer Trail, stated that he understood that San Marcos needs another HEB but that the proposed location was the wrong place. He spoke of the sensitive environmental features in the area.

Rob Roark, 1804 A Hunter Road, stated that he was the closest neighbor to the

property and knew the area well. He stated that HEB was a good corporate neighbor but had concerns with trash, traffic, and flooding that could be associated with the development.

Lisa Marie Coppoletta, 1322 Belvin Street, stated that she was concerned with exhausted from the construction as well as from the slowdown of traffic. She was also concerned with flooding in the area and possible archaeological finds in the area.

There were no additional comments and the public hearing was closed.

**A motion was made by Commissioner Dupont, seconded by Commissioner Porterfield that PDD-16-01 (Wonder World Drive and Hunter Road) be approved.**

**A motion was made by Commissioner Kelsey, seconded by Commissioner Ramirez, that the main motion be amended to add the condition that requires HEB to file an annual maintenance report, on the date of the Certificate of Occupancy, on the water filtration system used in the underground detention and to publish that annual report in the San Marcos Daily Record. The motion carried by the following vote:**

**For:** 5 - Commissioner Kelsey, Commissioner Gonzales, Commissioner Beckett, Commissioner Porterfield and Commissioner Ramirez

**Against:** 2 - Commissioner Dupont and Commissioner McCarty

**Absent:** 2 - Commissioner Garber and Commissioner Rand

**A motion was made by Commissioner Kelsey, seconded by Commissioner Dupont, that the main motion be amended to add the condition that requires the truck entrance and exit on Wonder World Drive to be open and allow a left turn onto Wonder World Drive rather than a right-in/right-out only. The motion carried by the following vote:**

**For:** 5 - Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner Beckett and Commissioner Ramirez

**Against:** 2 - Commissioner McCarty and Commissioner Porterfield

**Absent:** 2 - Commissioner Garber and Commissioner Rand

**A motion was made by Commissioner Kelsey, seconded by Commissioner McCarty, that the main motion be amended to add the condition that requires HEB to construct the customer parking area using permeable pavers/material. The motion failed by the following vote:**

**For:** 1 - Commissioner Kelsey

**Against:** 6 - Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Porterfield and Commissioner Ramirez

**Absent:** 2 - Commissioner Garber and Commissioner Rand

Vice Chair Kelsey called for a vote on the Main Motion to approve PDD-16-01 (Wonder World Drive and Hunter Road) with the amendments to add the condition that requires HEB to file an annual maintenance report, on the date of the Certificate of Occupancy, on the water filtration system used in the underground detention and to publish that annual report in the San Marcos Daily Record and to add the condition that requires the truck entrance and exit on Wonder World Drive be an open and allow a left turn onto Wonder World Drive rather than a right-in/right-out only. The motion carried by the following vote:

**For:** 5 - Commissioner Dupont, Commissioner Gonzales, Commissioner Beckett, Commissioner Porterfield and Commissioner Ramirez

**Against:** 2 - Commissioner Kelsey and Commissioner McCarty

**Absent:** 2 - Commissioner Garber and Commissioner Rand

#### NON-CONSENT AGENDA

9. Development Services Report:
  1. Code SMTX Update

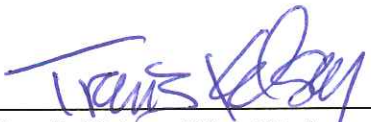
Alison Brake, Staff Planner gave the update on Code SMTX. She informed the Commission that a workshop will be held after the Planning Commission Regular Meeting on August 23, 2016 to discuss Code SMTX.

#### V. Question and Answer Session with Press and Public.

There were no questions from the press and public.

#### VI. Adjournment

A motion was made that the meeting be adjourned at 8:13 p.m. The motion carried by a unanimous vote.

  
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Travis Kelsey, Vice-Chair

ATTEST:

  
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Francis Serna, Recording Secretary

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_ Title:  
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